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South Africa, Republic of

Food and Agricultural Import Regulations and Standards

Annual Report

2007

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Report Highlights:

South Africa's import regulations for food products have remained unchanged from last year. This situation could change in the near future due to recent imported food scares.

Includes PSD Changes: No
Includes Trade Matrix: No
Annual Report
Pretoria [SF1]
[SF]

Table of Contents

I. FOOD LAWS	3
Regulatory Agencies.....	4
Import Regulations	4
FOOD LABELING.....	5
III. PACKAGING AND CONTAINER REGULATIONS	7
FOOD ADDITIVE REGULATIONS	7
V. PESTICIDE AND OTHER CONTAMINANTS	8
VI. OTHER REGULATIONS AND REQUIREMENTS	9
Testing	10
Certification	10
Special Documentation/Conformity Assessment Requirements	10
VII. OTHER SPECIFIC STANDARDS	10
Vitamin-Enrichment Requirements	10
Meat	11
Genetically Modified Organisms (GMOs)	11
VIII. Copyright and/or Trademark Laws	12
IX. IMPORT PROCEDURES	12
APPENDIX I	14
Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972): List of Regulations Applicable to Foodstuffs Imported into South Africa	14
APPENDIX II	15
APPENDIX III	16
Appendix IV	17

I. FOOD LAWS

The **Foodstuffs, Disinfectants and Cosmetics Act** 54 of 1972 is under review, and some proposed changes will provide consumers with additional information to make choices about imported products. The present labeling regulations do not compel food producers and importers to advertise the countries of origin on labels.

The Director of Food Control in the Health Department, Dries Pretorius, said that the proposed changes, currently awaiting signature on the Minister of Health's desk, would make it compulsory for labels to show a product's country of origin.

"This will become a requirement once the proposed new labeling regulations are in place. It will also be required that the name and physical address of the importer, or for whom it was imported, be provided on the label, which will allow health authorities to contact the business and obtain further details when conducting an investigation," he said in an June 2007 interview with the Mercury Newspaper.¹

A local trader commented to AgPretoria that it is unlikely that customs offices will have the capacity to enforce this law even if the Minister does sign the amendment to the Act.

Microbiological Standards: On November 18, 2006, the regulation governing microbiological standards, under the FCD Act of 1972, was amended to regulate against a sale for consumption of fruit juice of which 1ml contains: a total viable count of more than 10,000 of colony forming units; a coliform count of more than 100 colony forming units; a yeast mould count of 1,000 colony forming units; any detectable levels of E.Coli; and, its 25ml contains any detectable Salmonella spp.

<http://www.doh.gov.za>

Historical Data:

South Africa's food control system is conducted under the terms of at least fourteen acts that are administered and enforced by numerous authorities and assignees at all three tiers of government (national, provincial and local). The three agencies tasked with developing and enforcing food safety standards in South Africa are the Department of Health (DOH), the Department of Agriculture (DoA) and the South African Bureau of Standards' (SABS) Directorate of Regulatory Affairs and Consumer Protection. Under the DOH it is the Directorate of Food Control (DFC) that oversees food safety and under the DoA the Sub-directorate Agric Product Quality Assurance (SAPQA) and the Directorate of Plant Health and Quality (PHQ). Although a number of coordination mechanisms have been established, these have not succeeded in eliminating the problems caused by the fragmentation of control.

Late in 2003, the Departments of Agriculture and Health worked together to design a new national food control system to separate policy and implementation issues. The departments established two entities: the National Food Control Authority and the Food Inspection Agency. The National Food Control Authority will be a multisectoral governmental authority with the main component located in the Department of Agriculture handling policy issues. The Food Inspection Agency will be a parastatal that will incorporate law enforcement activities currently exercised by various government departments and their assignees.

¹ Comins, Lyce "The Mercury" June 19, 2007

Foodstuffs, Cosmetics and Disinfectants Act: In 1973 Act 54 was created in order to ensure the safety and purity of foods, cosmetics and disinfectants made available to the public. It also provides the specifications and legal measures to ensure that products, whether locally manufactured or imported into South Africa or exported from South Africa meet the minimum requirements for health and safety as set out in the relevant South African National Standards.

NDA's Directorate Veterinary Services administers the **Animal Diseases Act**, 1984 (Act No 35 of 1984) and the **Meat Safety Act**, 2000 (Act No 40 of 2000), two of the statutory instruments created by the South African parliament to protect and regulate the production chain. Applications to import animals and animal products (including casings) from individual countries are evaluated in accordance with these Acts, international standards and other requirements. Copies of these Acts and their regulations can be obtained by contacting Mrs. Viviers at tel: 012 319 7700 (International tel. +27 12 319 7700) or fax no 012 329 6892.

Regulatory Agencies

The Department of Food and Associated Industries (FAI) within the South African Bureau of Standards (SABS) has food inspectors working with other governmental departments to ensure food safety issues for both locally manufactured and imported seafood and canned fish products. The body issues quality and compliance health certificates for seafood products in terms of the Foodstuff Cosmetic and Disinfectants Act.

Import Regulations

All imported food and agricultural products are required to comply with South Africa's food health and phytosanitary laws. In general, products are not allowed to enter South Africa if they are deemed to be a danger to human life or well-being, either directly or indirectly. South African food regulations are patterned after CODEX Alimentarius Commission guidelines.

All food and agricultural products that enter South Africa, are required to pass through procedures designed to ensure that they are not contaminated with any pest and that they are fit for their intended use.

The health and phytosanitary regulations and procedures applied on imported agriculture and food products are broadly similar for all types of products. Under South African import laws, it is the responsibility of the importer to ensure that any product entering the South Africa customs territory is in full compliance with South African health and phytosanitary regulations. The enforcing authorities will check for compliance by inspecting the goods and relevant import/export documentation and decide whether or not the goods may enter South Africa.

In cases where non-compliance is found, the goods may require treatment prior to entering South Africa or they may be rejected and ordered destroyed or disposed of outside South Africa. It is therefore very important that importers and exporters ensure that compliance is achieved before the goods are shipped to South Africa.

An article from the local paper –The Mercury- dated June 19, 2007 reports that thousands of metric tons of food imported into South Africa are going unchecked, because there is no official inspection procedure for officials and the ports lack inspection resources.

Although the ports are the country's first line of defense against contaminated food, many consignments are sailing through unchecked because of fraud, illegal smuggling, and the insufficient capacity of provincial Port Health services controlled by the provincial

government under the National Health Act. Poor inspection practices have resulted in recent food scares over imported contaminated spices, honey and pet food.

FOOD LABELING

The regulations relating to the grading, packaging, and markings of dry beans and Maize products intended for sale in South Africa, under the Agricultural Product Standard Act of 1990, was amended in government gazette no. 28924 dated June 15, 2006.

The new rules can be accessed at: <http://www.nda.gov.za>

To see a pamphlet on labeling published by the Directorate of Food and Cosmetics of the Department of Health please go to: <http://www.allergysa.org/labels.htm#information>

General

The information required to appear on any label shall be:

- In at least one official language (English) of the Republic of South Africa
- Clearly visible, easily legible and indelible, and the legibility shall not be affected by pictorial or any other matter, printed or otherwise
- In a color that is in distinct contrast to the background color of the label

Name and address

The name and full physical address of the manufacturer, producer, proprietor or controlling company, or, in the case of containers packed on behalf of any other person or organization, the name and full physical address of that person or organization. The size of the lettering shall not be less than 1mm in height.

Product name

The name of the product shall be a true description, including its method of preparation, presentation and packing medium and shall not be misleading. The name must appear on the main panel(s) in bold print in letters not less than 4mm in height.

Qualifying words

Words that qualify the foodstuffs or are an essential part of the description, shall be in the immediate proximity to the name and in prominent letters at least one third the size of the name of the product.

List of ingredients

Where applicable a statement of ingredients in descending order of content must be given. The presence of any preservative shall be indicated in the list of ingredients by its common chemical name, either followed or preceded by the word "preservative". Preservatives which are used as anti-oxidants shall be indicated by the common chemical name in the list of ingredients, either followed or preceded by the words "anti-oxidant". Where the colorant tartrazine is used it must be specifically listed as "tartrazine" in the ingredients listing. The use of monosodium glutamate (MSG) shall be indicated by name in the ingredients listing.

Foodstuffs which need not bear a list of ingredients include water, which is added with carbon dioxide and having a name indicating it has been carbonated, vinegars fermented exclusively from a single basic product, dairy products containing only milk, or added with only starter culture or rennet, any drink according to the Sorghum Beer Act, 1962, or beer as described in the Liquor Act of 1989.

Pictorial representations

No pictorial representation, which reflects any foodstuff not contained in the container and which might lead the consumer to believe that such foodstuff is contained in the container, shall appear on the label unless the words "serving suggestion", or words indicating the justification for the use of such a pictorial representation are printed on the label.

The net mass declaration

The net mass of the contents shall be expressed in the relevant units of the metric system such as kilogram (kg) or gram (g). The lettering must be uniform and of a size such that the head of the "g" is equal to at least one quarter the size of the product name, brand or trade name, or 1.5mm, whichever is the greater. The net mass declaration shall be in a color in distinct contrast with the background, and where it does not appear on the main panel(s) it must be framed in a bold continuous line. The words "net mass" or "net" may be used with the net mass statement.

Storage instructions

A statement that the product is cooked or uncooked as applicable, together with the relevant storage instructions shall appear on the main panel in letters not less than 3mm in height.

Uncooked/raw – Keep Frozen

Partly cooked – Keep Frozen

Cooked – Keep Frozen

Grading of the product

The grading category of the product and the count must be declared on the label.

Date of manufacture and factory code

The date of manufacture and the identity of the factory in which the product was packed must be indelibly marked or stamped on each immediate container or, in the case of glass jars, on the cap or label. The use of a code is permissible provided that the key is disclosed to the SABS.

Country of origin

Words indicating the country of origin must be stated on the label.

Substandard

When required, the word "Substandard" shall be printed prominently and indelibly on all main panels in a print size at least half the size of the product or trade name, whichever is greater.

Directions for use

Where relevant

Labels

The information stated previously shall be printed on the package or on the overwrap covering the package, or on a label of acceptable material attached to the package. Labels on packages shall be clean, neat and securely attached. They shall not be superimposed on other labels or on matter printed directly on the packages. Labels or sealing adhesives that are liable to deteriorate under the conditions of storage of the packaged products shall not be used.

Marking of master cartons

Containers shall be clean, neat and unbroken. On every container shall be printed or stenciled the quantity and net mass of the packages it contains and the information as required in the previously mentioned requirements, except that the street address of the manufacturer need not be the full address, but must be sufficient for identification purposes. The method of preparation need not be given on the container. The date of packing and batch number (if applicable) shall be stamped or otherwise marked on the container or on a label securely attached to the container.

Nutritional and Health Claims

Nutrition labeling must appear on food labels or in accompanying labeling. The label must have the heading 'Nutrition Information', and should specify serving size, the nearest kilojoule of energy content of a serving per 100g or per 100 ml, total amount of proteins, carbohydrates, fats and dietary fiber in grams(weight), sodium in milligrams and RDA proteins per serving.

Labeling of foods for special medical purposes must indicate nutritional information, osmolarity on acid-base balance, number of servings contained in the package, nature of animal/plant protein hydrolysates, the description of modification and information on the amino acid, fatty acid/carbohydrate profile, a bold capital lettered statement not less than 3mm reading "USE UNDER MEDICAL SUPERVISION".

GMO labeling regulations

South Africa's health regulations mandate labeling of genetically modified (GM) foods only in certain cases, including when allergens or human/animal proteins are present, and when a GM food product differs significantly from a non-GM equivalent. The rules also require validation of enhanced-characteristic (e.g., "more nutritious") claims for GM food products. The regulations do not address claims that products are GM-free.

III. PACKAGING AND CONTAINER REGULATIONS

For all goods, temperature in transit and at the destination point must be taken into consideration when using gels and dry ice. Chilled goods should be packed either in insulated containers with gel-packs/blue ice or in heavy cardboard boxes with gel-packs. Goods should never be packed with wet ice. Frozen goods, as with chilled, should be tightly packed with gel-packs and/or dry ice. Dry goods should be packed tightly to avoid internal damage.

Carton labels should be marked to indicate either dry/chilled/frozen contents. The shipments should be marked with colored labels, and all boxes should contain the following: Supplier name, address, destination, total number of cartons shipped, and a copy of pro-forma / commercial invoices.

FOOD ADDITIVE REGULATIONS

In April 28,2006, a government gazette no. 28759 published a draft of the regulation of preservations anti-oxidants under the FCD Act of 1972 for public comments. The new rule puts the maximum level of the antioxidant, Dimethyldicarbamate, at 250mg/litre for black currant juice, soft drinks, pineapple juice, and sacramental wine from unfermented grape juice. <http://www.doh.gov.za>

Food additives used as oxidants, sweeteners, colorants, curing agents, flavor enhancers, flavorants or preservatives, in a given foodstuff must appear on the label. The label on any

pre-packed food additive or blend of food additives must comply with all labeling requirements and bear the words “for use in foodstuffs”, or “for use in food” or “blend of food additives”. The common chemical name of the product should be used on the labels. The names ‘food colorant’ or ‘food coloring’ or ‘food color’ and common chemical name and color index number should appear in the label. If an additive is sulfur dioxide, the maximum and minimum percentages should be specified. The date of maximum durability for food additives with the shelf-life not exceeding 18 months should have words as ‘use before X’, where X represents the latest recommended date of use.

Regulations governing the labeling and advertising of foodstuffs are contained in: Foodstuffs, Cosmetics and Disinfectant Act, 1972 (Act no. 54 of 1972).

The DOH does not maintain a list of permitted additives. South African Food Additive regulations are categorized according to type. Please look up your product at the following internet address and then see which additives are permitted with that particular foodstuff:

http://www.doh.gov.za/departments/dir_foodcontr.html

Click on “legislation” at the top, then scroll at the bottom to see all the final regulations pertaining to additives.

V. PESTICIDE AND OTHER CONTAMINANTS

The South African Department of Health (DOH) is the main food control regulatory body. DOH approves the Maximum Residue Limits (MRLs) for pesticides and for other chemicals and metals that may be present in foodstuffs for both exports and imports. The National Department of Agriculture (NDA) gives guidance for usage of pesticides. Analysis for pesticide MRL is the responsibility of the DOH inspection services from the port to the laboratories. For exports, the Maximum Residue Limits in foodstuffs regulations are established by the Department of Agriculture, the South African Bureau of Standards (SABS), the Perishable Products Exports Control Board (PPECB), industry working groups, agricultural chemical companies and technical experts, all operating under about 14 acts. The PPECB handles MRL analysis for exports. Another government agency advising about MRLs is the Agricultural Research Council (ARC) – for technical expertise.

Regulations of maximum residue limits for pesticides on imported foodstuffs are governed under the FCD Act, 1972 (Act No. 54 of 1972). Food import control is conducted by the Port health services and the Provincial Health Department according to the act. For specific MRLs, please see http://www.doh.gov.za/departments/dir_foodcontr.html.

Fresh production imports use the local codex. Ports authorities report that it has been five years since the last MRL testing was done because it is an expensive procedure. (There are about 100,000 chemicals used in registered pesticides on the market, it is not easy to prioritize). However, samples are continuously taken from the consignments to test for food colorants, aflatoxin, preservatives, sweetness and labeling. The port health authorities also rely on reports from organizations like the U.S. Food and Drug Administration, U.K. Food Authority and Australian Food Authority and are reactive to any threatening health alerts imposed by any of the groups. When there is a threatening health alert, South African ports will organize contamination analysis and detain the products from import until further analysis can be conducted.

At the port, samples are randomly extracted from different crates within the consignments at specified rates. The port health inspector extracts a sample size of about one carton, or 2 –5 kg of fruit. Tests are done as once-off procedures immediately when the consignments

arrive at the port. Sample size is specified by the standard procedure guidelines per commodity. Samples are then drawn and sent for analyses at the laboratories. The Government has comprehensive information and detailed methods of chemical detection in foodstuffs. Guidelines are set according to Codex. Results are made known to the importer and agent as soon as they are available, and normally take about two days for perishables, and at least 2-5 days for grains.

The Port Health services are provided by the national government at no charge to the importer. But in case of a regulation default, the importer bears the costs.

The local laboratories (Cape Town, East London, Pretoria, Durban) do not test for pesticide MRL on wheat and maize because they have not yet agreed on a suitable method. However, quite often MRLs are checked for fresh products.

Codex Alimentarius values are the principal default levels but are only applicable when no South African MRLs have been established. If there is no Codex value for a particular chemical/commodity, the second default choice is the lowest Limit of Detection (LoD) level, usually at 0.01mg/kg of commodity, established in South Africa for a crop in the same food category. These defaults are automatic and are required by the South African Food Code. Finally, if none of these defaults are applicable, then the MRL set by other countries are considered.

South Africa is a signatory to the WTO and recognizes Codex guidelines and standards as the international norm for the application of SPS and TBT Agreements. Codex Alimentarius serves as a guideline for establishing the South African health guidelines and standards but is seldom used, unless in a situation like as mentioned above. The South African Food Control Division of the Department of Health and the National Department of Agriculture are responsible for the drafting and setting of regulatory MRL standards.

In case of a product default, the shipment may be detained for further analysis, destroyed, or returned to its place of origin. The laboratories inform the port health authority, who informs the Minister of Health. The information is held confidential between the importer, exporter and the government. The importer bears the final costs for any infractions. The port health inspector keeps a database that may act as the foundation for further testing.

Consignments for both perishables and non-perishable food products are either held at the port or sent to the destinations, at stores of retailers and wholesalers, as requested by the importer, though kept for inspections before they can be released.

Food monitoring at wholesalers or retailers of both imports and local products is the responsibility of the local health authority inspectors and is a continuous process. Tests are made for labeling, country of origin, and aflatoxins, but seldom for MRLs, because of the complexity of the analysis. Import tests for MRLs are conducted only when the international alerts were made for specific consignments. For Legislation, access: http://www.doh.gov.za/departments/dir_foodcontr.html

VI. OTHER REGULATIONS AND REQUIREMENTS

In June 23, 2006, a draft for the Plant Health Policy document was released, under the government gazette no.28466, for public comments. The Policy aims to protect against imports of plants and related materials that harbor pests that may endanger the South African agricultural, horticultural or forestry sector. This new policy was written to be in line

with the World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures, and the International Plant Protection Convention (IPPC).

This regulation will be the umbrella Act for plant health. Imports and exports are conducted under the Agricultural Pest Act of 1983 (Act no.36 of 1983).

South Africa plans to promote common an effective measure on national, regional and international levels to prevent distribution of pests. The Government of South Africa plans to share responsibility with stakeholder industries, IPPC, IPPC'S regional Plant Protection Organisation for Africa, the Inter-African Phytosanitary Council (IAPSC), and the Southern African Development Community (SADC). The Department of Agriculture's Directorate Plant Health (DPH) and the Agricultural Products Inspection Services (APIS) will corordinate.

Previously, imports had been controlled using PRA methods as according to the Agricultural Pests Act of 1983. The Department of Agriculture, the Agricultural Research Council and other research institutions, and the Department of Environmental Affairs and Tourism, control the import of bio-control agents. The National Plant Protection Organization (NPPO), with quarantine facilities and diagnostic laboratories and inspection services, is also established according to IPPC.

<http://www.nda.gov.za>

Testing

The Port Health Authority may detain goods at customs or issue an extended health detention to assist the food industry and other associated industries to take samples and conduct one or more of the following tests: sensory, microbiological and chemical.

The sample is divided and packed separately into three sealed and labeled containers to indicate its nature and to identify it as from the original sample. One of the packages is given to the person responsible for the commodity, and the other package is sent for testing, while the third package remains with the inspector. For further analysis, the sample is derived from the remaining two packages. The same procedure also applies to perishables.

Certification

All canned seafood products are tested under the compulsory specifications. The products are detained when tests are conducted and are only released for sale after a compliance certificate is issued. Frozen products are monitored on a regular basis at the processors. All imported goods are sampled and tested before distribution and sale.

Special Documentation/Conformity Assessment Requirements

Seafood shipments should be accompanied by bills of entry documentation that provide the following information, correct physical addresses, storage facilities, and correct quantities of commodities.

A list of codes should indicate various codes and different grades and quantities of each in the consignment. These regulations are regulated under the SABS.

VII. OTHER SPECIFIC STANDARDS

Vitamin-Enrichment Requirements

Fortification of foodstuffs is regulated under South Africa's Department of Health, Food Act of 1972. Importers and manufacturers of food vehicles should use only micronutrient mix from companies that have registered with the Department of health. The importer should record certificates of micronutrient mix used in the production of every batch of the food vehicles. It is illegal to import micro nutrient mix without registering it with the DOH. Importers of

micronutrient mix should apply to the Director General for registration of their nutrient mix specifications. Specifications must include recommended addition rates.

Specifications for labeling, fortified food standards, micronutrient mix, etc, the Regulations Relating to the Fortification of Foodstuffs (October 18, 2002) can be accessed by visiting www.doh.gov.za under documents – legislations - regulations.

Meat

South Africa's meat import procedure and requirements are regulated mainly through the Animal Diseases Act, 1984 (Act no. 35 of 1984), and the Meat safety Act, 2000 (Act no. 40 of 2000).

Frozen and chilled meat may only be imported from established abattoirs and cutting plants approved by the Director of Veterinary Services of South Africa. The directorate keeps a list of approved facilities which is available on request at Tel: +27-12-319-7700, Fax: +27-12-329-6892, or e-mail: ElmarieV@nda.agric.za

To receive a copy, a new importer may submit the company name to be added to the mailing list, which is updated bi-annually. However, listing of a facility does not necessarily mean the directorate will allow entry for any product from that plant, Veterinary inspectors of exporting countries conduct routine facilities inspections for compliance, and then notify the South African authority.

An abattoir or cutting plant in need of South African approval should contact the local veterinary authority where the business is situated. The inspectors are expected to analyze the facility and provide confirmation in writing to the South African authorities.

An importer should have a South African veterinary import permit before the consignment departs from the country of origin. Import permits for animal products imported for commercial purposes are only issued to companies residing in South Africa or an agent in South Africa appointed by an international company. South Africa does not accept imports via third countries.

An application fee of R60 should be paid when submitting the veterinary import forms. The import permit can either be mailed to the importer or can be collected at the permit office, as desired by the importer. Application forms and more information concerning payments may be obtained from the permit office at Tel: +27-12-319-7514/7414.

Meat must be inspected at one of the following port of entry inspection sites as stipulated on the permit: Durban, Cape Town, City Deep Abattoir (only from neighboring countries), and Port Elizabeth (on special permission).

Genetically Modified Organisms (GMOs)

NDA released a guideline document for working with Genetically Modified Organisms in May 2004. GMO products intended sale as food/feed are analyzed for food safety on a case-by-case basis. The prospective importer must submit a comprehensive summary of all results, preferably in a table format, with a complete package of the data for food safety assessment.

For further information on GMOs and legislation, visit the following websites:

Regulatory authorities:

Department of Health: www.doh.gov.za/depart/dir_foodcontrl-f.html

Department of Agriculture: www.agric.gov.za

The South African Agency for Science and Technology Advancement: www.pub.ac.za

This office produces a Biotechnology report for South Africa SF7028

VIII. Copyright and/or Trademark Laws

Property rights, including intellectual property, are protected under a variety of laws and regulations. South Africa has an independent judiciary under which any threat to property rights may be enforced without political interference.

Patents may be registered under the Patents Act of 1978 and are granted for 20 years. Trademarks can be registered under the Trademarks Act of 1993, are granted for ten years and may be renewed for an additional ten years. New designs may be registered under the Designs Act of 1967, which grants copyrights for five years. Literary, musical and artistic works, cinematographic films and sound recordings are eligible for copyrights under the Copyright Act of 1978. This act is based on the provisions of the Berne Convention as modified in Paris in 1971 and was amended in 1992 to include computer software. The Patents, Trademarks, Designs, and Copyrights Registrar of the Department of Trade and Industry administer these acts.

South Africa is a member of the Paris Union and acceded to the Stockholm text of the Paris Convention for the protection of industrial property. South Africa is also a member of the World Intellectual Property Organization (WIPO). The Government passed two IPR-related bills in parliament at the end of 1997: the Counterfeit Goods Bill and the Intellectual Property Laws Amendment Bills, thereby enhancing its IPR protections.

While South African IPR laws and regulations are largely in keeping with TRIPS (Trade Related Aspects of Intellectual Property), there are still concerns about increasing copyright piracy and trademark counterfeiting. The U.S. is working with the South African Government on ways to further enforce existing IPR legislation.

Additional information on South African rules and registration procedures for patents, trademarks, and copyrights can be obtained from:

Department of Trade and Industry
Trademarks, Patents, Design and Copyright
Private Bag X84, Pretoria, 0001
Tel: (27 12) 310-8700/8707; Fax: (27 12) 323-4257/321-5025
www.cipro.gov.za
ceciliap@cipro.gov.za

IX. IMPORT PROCEDURES

A new rule in the Agricultural Pest Act of 1983 (Act no. 36 of 1983), implemented in April 20, 2006, requires an import tariff permit of R50-00 for controlled goods (any live or dead part of a plant, pathogen, insect, exotic animal, growth medium, infectious materials, honey, beeswax, or used apiary equipment).

One import permit, valued for one year, is issued for the following: Seeds (maximum 10 genera, or 2 species of 5 genera); rooted plants (maximum 10 genera); various other planting materials (max. 8 Genera); fruits and vegetables (10 Genera/types); Cut flowers (10 types); 10 types/Genera of timber (only those not published in R1013); Bio-control agents/research organisms (10 species/host species) and growing media.

For further information, the permit offices can be reached at: Tel: +27-12-319-6102; +27-12-6531; +27-12-6396 or 021-809-1617.

The basic procedures, which apply to the import of food and agricultural products are as follows:

STEP 1

Determine whether your agriculture products can enter South Africa. Only acceptable countries (as determined by the relevant regulatory body) may export food and agriculture products to South Africa (e.g., select bovine parts from a number of countries are banned in South Africa).



STEP 2

It is best to have a reputable importer/distributor in South Africa who can apply for any necessary applications and fill out appropriate paper-work. The office of Agricultural Affairs in Pretoria can recommend several different importing companies for most food products.



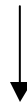
STEP 3

In the case of meat and poultry, imports can only be made from foreign meat establishments (i.e. abattoirs/slaughterhouses), which are accredited by the Department of Agriculture. All U.S. federally inspected and approved meat establishments located in the United States are eligible to export to South Africa.



STEP 4

Import licenses/permits must be obtained from the relevant regulatory body for the goods to be imported to South Africa before the products are shipped from the exporting countries. Veterinary Quarantine Certificates and Import Permits must be obtained prior to importation.



STEP 5

All agricultural and food products entering South Africa must be accompanied by a phytosanitary or health certificate issued by the regulatory body in the exporting country. This is required to be submitted for inspection along with the import permit to facilitate physical inspection of the goods and customs clearance at the port of entry.

APPENDIX I**Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972): List of Regulations Applicable to Foodstuffs Imported into South Africa**

- Regulations: Jams, conserve, marmalade and Jelly (R.2627/12 December 1986)
- Regulations: Governing tolerances for fungus-produced toxins in foodstuffs (R.313/16 February 1990)
- Regulations: Relating to perishable foodstuffs (R.952/6 August 1999)
- Regulations: Governing radio activity in foodstuffs (R.1931/17 August 1990)
- Regulations: Relating to baking powder and chemical leavening substances (R.2486/26 October 1990)
- Regulations: Governing the composition and labeling of raw boerewors, raw spices sausage and raw mixed species sausage (R.2718/23 November 1990).
- Regulations: Governing emulsifiers, stabilizers and thickeners and the amounts thereof that foodstuffs may contain (R.2527/13 November 1987)
- Regulations: Prohibiting guar gum as a foodstuff (R.2554-25 October 1991)
- Regulations: Relating to the use of sweeteners in foodstuffs (R.3128/ 20 December 1991).
- Regulations: Governing the maximum limits for veterinary medicine and stock remedy residues that may be present in foodstuffs (R.1809/ 3 July 1992)
- Regulations: Relating to herbs and spices (R.1468/ 13 August 1993).
- Regulations: Governing the labeling and advertising of foodstuffs (R.2034/ 29 October 1993)
- Regulations: Governing the maximum limits for pesticide residues that may be present in foodstuffs (R.246/ 11 February 1994).
- Regulations: Relating to metals in foodstuffs (R.1518/9 September 1994).
- Regulations: Relating to salt (R.996/7 July 1995).
- Regulations: Enforcement by local authorities (R.382/8 March 1996).
- Regulations: Relating to food colorants (R.1008/21 June 1996).
- Regulations: Governing microbial standards for foodstuffs and related matters (R.692/16 May 1997).
- Regulations: Relating to edible fats and oils (R.1316/16 August 1996).
- Regulations: Anti-caking agents – amounts that may be used in foodstuffs (R.2507/1982).
- Regulations: Preservatives and antioxidants (R.956/1977).
- Regulations: Irradiated foodstuffs (R.1600/1983).
- Regulations: Duties of inspectors and analysts (R.2162/1973).
- Regulations: soft drinks (R.1769/1985).
- Regulations: mayonnaise and other salad dressings (R.92/1986).
- Regulations: milk and dairy products (R.1555/1997).
- Regulations: enrichment of maize meal (R.2839/1979).
- Regulations: mineral hydrocarbons in foodstuffs (R.230/1977).
- Regulations: Seafood (R.2064/1973).
- Regulations: tolerances for certain seeds in certain agricultural products (R.1466/1987).
- Regulations: use of certain food additives in certain wheaten and rye products (R.2417/1987).
- Regulations: Substances in wine, other fermented beverages and spirits – additives, amounts and tolerances (R.2870/1981).
- Regulations: Acids, bases and salts – the amounts thereof that foodstuffs may contain (R.115/1986).
- Regulations: Restrictions on the sale of food additives containing nitrite and/or nitrate and other substances (R.219/1975).
- Regulations: Manufactured or processed meat products (R.2037/1975).

- Regulations: Foodstuffs for infants, young children and children (R.1130/1984).
- Regulations: Regulations under the Food, Drugs and Disinfectants Act No. 13 of 1929 (No. 575 – 28 March 1930).
- AMENDMENTS:
- Regulation: Use of Sweeteners (No. R323 of April 2007)
- Regulation: Bottled water (No.R.718 of 2006)

APPENDIX II

REGULATIONS CONTROLLED UNDER THE AGRICULTURAL PRODUCTS STANDARDS ACT

- Regulation: Rooibos(No.R.322 of 22 March 2002)
- Regulation: Vinegar (No.R.1393 of 15 September 1995)
- Regulation: Mayonnaise & salad dressing (No. R.636 of 30 June 2000)
- Regulation: Jam, Jelly, & Marmalade (No.R.1844 OF 15 November 1996)
- Regulation: Honey (No. R.835 of 25 August 2000)
- Regulation: Frozen fruit & vegetables (No. R.725 of 29 May 1998)
- Regulation: Fruit Juice (No.R.1801 of 17 November 1995)
- Regulation: Fat spread (No. R.1095 OF 17 September 1999)
- Regulation: Dried Fruit (Draft)
- Regulation: Dehydrated vegetables (No.R396 of March 1970)
- Regulation: Canned vegetables (No. R.1532 of 24 October 2003)
- Regulation: Canned Pasta (No. R.903 of 15 September 2000)
- Regulation: Canned Mushrooms (No.R.3 of 5 January 2001)
- Regulation: Canned Fruit (No.R.135 of 18 February 2005)
- Regulation: Meat (No.R.863 of 1 September 2000)
- Regulation: Poultry meat (No. R. 988 of 25 July 1997)
- Regulation: Mohair (No. R. 864 of June 1997)
- Regulation: Ice Cream (Draft)
- Regulation: Eggs (No.R.25 of 8 January 1999)
- Regulation: Dairy & Imitation dairy products (No. R. 2581 of 20 November 1987)
- Regulation: Dry Beans (No. R. 1280 of 29 October 2004)
- Regulation: Sorghum (No.573 of 16 March 2007)
- Regulation: Wheat (No. 1210 of 29 August 2003)
- Regulation: Wheat products (No. R. 2133 of 30 August 1991)
- Regulation: Maize (No.R.1013 of 14 August 1998)
- Regulation: Maize products (No. R. 1739 of 17 September 1993)
- Regulation: Sunflower (No. R. 811 of 31 August 2001)
- Regulation: Soyabean (No.R.1178 of 24 November 2000)
- Regulation: Groundnuts (No.R.966 of 7 October 2005)
- AMENDMENTS:
- Regulations: Inspections & Appeals (No. R.104 of 2 March 2007)
- Liquor Act (1989) (No. R. 162 of 2 March 2007)
- PPECB (inspection Levies) (Board Notice No. 38 of 2007)

APPENDIX III

SOUTH AFRICA'S LIST OF REGISTERED PESTICIDES					
4,4'-DDD	Captan	Dichlorphos	Fipronil	Nitrothal-isopropyl	Propoxur
4,4'-DDE	Carbaryl	Dicrotophos	Folpet	Nuarimol	Prothiophos
4,4'-DDT	Carbendazim	Dieldrin	Formetanate	Omethoate	Pyrazophos
Acephate	Carbofuran	Dimethoate	Formothion	Oxamyl	Pyrethrins
Aldicarb	Chlordane	Diphenylamine	Furathiocarb	Oxydemeton-methyl	Pyrifenox
Aldicarb sulfone	Chlorfenvinphos	Disulfoton	Heptachlor	Parathion-ethyl	Quintozene
Aldrin	Chlorothalonil	Endosulfan sulfate	Heptachlor epoxide	Parathion-methyl	Terbuphos
Azinphos-ethyl	Chlorpyrifos-ethyl	Endosulfan-alpha	Heptenophos	Penconazole	Tetradifon
Azinphos-methyl	Chlorpyrifos-methyl	Endosulfan-beta	Hexaconazole	Permethrin	Tetramethrin
Benfuracarb	Coumaphos	Endrin	Hydroxycarbofuran-3	Phenothrin -D	Thiodicarb
Benomyl (as Carbendazim)	Cyfluthrin	Endrin aldehyde	Imazalil	Phenthoate	Triadimefon
BHC- alpha	Cyfluthrin-beta	Endrin ketone	Indoxacarb	Phenylphenol-ortho	Triadimenol
BHC-beta	Cyhalothrin	Esfenvalerate	Iprodione	Phorate	Triazophos
BHC-delta	Cyhalothrin-lambda	Ethiofencarb	Isazophos	Phosalone	Trichlorfon
BHC-gamma (Lindane)	Cypermethrin	Fenamiphos	Isofenphos	Phosmet	Vamidothion
Bifenthrin	Cypermethrin-alpha	Fenarimol	Malathion	Pirimicarb	Vinclozolin
Bioallethrin	Cypermethrin-zeta	Fenchlorvos	Methamidophos	Pirimiphos-methyl	
Brodifacoum	DDT	Fenhexamid	Methidathion	Prochloraz	
Bromophos-ethyl	Deltamethrin	Fenitrothion	Methiocarb	Procymidone	
Bromophos-methyl	Demeton-S-Methyl	Fenoxycarb	Methomyl	Profenophos	
Bromopropylate	Diazinon	Fenpropathrin	Methoxychlor	Propachlor	
Bupirimate	Dichlofluanid	Fenthion	Mevinphos	Propamocarb	
Captafol	Dichloran	Fenvalerate	Naphthol- 1	Propiconazole	

Appendix IV

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